

**APPROVED AS AMENDED BY THE BOARD OF SELECTMEN**

**TOWN OF DARIEN - MINUTES  
BOARD OF SELECTMEN  
JANUARY 5, 2004**

**ATTENDANCE:** Evonne Klein, First Selectwoman; Barbara Thorne; Dr. Miceli;  
Robert Harrel; Linda Santarella

**STAFF:** John Crary, Town Administrator

**OTHERS:** Harry Harris, Connecticut DOT

**CALL TO ORDER**

The First Selectwoman called the meeting to order at 5:30 p.m.

**APPROVAL OF MINUTES OF DECEMBER 15, 2003**

First Selectwoman Klein tabled the minutes until the next meeting.

**1<sup>st</sup> SELECTWOMAN'S REPORT**

First Selectwoman Klein said that the Fireworks Committee met on December 16 and has several potential sites for the fireworks. She said that the next meeting would be held the second week in January.

The First Selectwoman said that the town held the first town meeting at the Senior Center on December 16. She said that Ms. Santarella and Dr. Miceli were present also. She also said that Rita Shaughnessy, Mary Anne Obuchowski and Judy Morrison were in attendance to answer any questions. First Selectwoman Klein said that Ms. Obuchowski would be meeting with the seniors again in February to answer any tax relief questions.

First Selectwoman Klein said that the next senior awareness meeting would be January 26 at 1:00pm. She said that this would be an Ad Hoc Committee to handle senior issues and create awareness of senior issues.

First Selectwoman Klein said that she met with the Red Cross as a general overview and talked about establishing shelters in town. She said that cots are one of the items needed to establish more shelters.

First Selectwoman Klein said that starting today the Noroton Heights Train Station would be open Monday through Friday from 5am to 5pm. She said that the town purchased a gate so that the concessionaire could close up. First Selectwoman Klein said that cleanup of the station would be done at a cost of

\$60 per week at the station. She said that the \$60 also included locking the station.

First Selectwoman Klein said that she received 351 surveys back regarding the train station. She said she received 202 through email and 149 in regular mail. First Selectwoman Klein said that there were about 1400 commuters so the return was good. First Selectwoman Klein said that the parking permits were being reviewed and once that project is complete letters would be sent to those on the waiting list.

First Selectwoman Klein said that she would meet with the Fire Chiefs tomorrow regarding tax abatements.

First Selectwoman Klein said that the Sports Council would meet on January 26 at 7pm in room 206.

First Selectwoman Klein said that there will be a Public Hearing on January 13 at 10:00 a.m. regarding taxicabs. The hearing will be held at ConnDOT on Berlin Turnpike in Newington.

First Selectwoman Klein said that the Police Department did a tobacco inspection of retail stores in December and had 96% compliance. She said letters were also sent to alcohol retailers reminding them to check identification.

First Selectwoman Klein said that Mr. Steeger could not be here tonight because of the death of his mother.

First Selectwoman Klein said that she would have the results of the railroad station survey to the Board by next week.

### **ADMINISTRATIVE OFFICER'S REPORT**

Mr. Crary said that the Assessors renovation project is almost 95% complete and the Tax Collector's office will be next. He said that in the spring the next move would be to the Town Clerk's office.

Mr. Crary said that a bid was out for the work on the auditorium. He said that the town has a grant of \$82,000 and that the bids should be back by January 12<sup>th</sup>. Mr. Crary added that the work should be started in early spring.

Mr. Crary said that town purchases about 90,000 gallons of gasoline for use. He said that Darien was part of a consortium and the towns have decided to go with a variable rate. Mr. Crary said if the rates go lower, then the town would receive the better price.

Mr. Crary said that Mr. Steeger was our representative to the CRRA Board. Mr. Crary said that Darien pays a tipping fee to bring the town's garbage to the burn plant in Bridgeport. He said that Mr. Steeger said that there would be an increase of 17% in the tipping fee. Mr. Crary said that the figures would be available next week and would be worked through the town's budget.

Ms. Flora Smith asked what other towns were doing with their garbage and how many years were left on the contract. Mr. Crary replied that there were about 4-5 years left on the contract with CRRA. Mr. Crary said that Mr. Steeger was working on the impact of the increase in the tipping fee.

Mr. Crary said that the annual report for 2003-2004 was moving forward and in the final steps. He said that most of the reports have been edited and are in reasonable shape and should have the final report in 4-5 weeks. Mr. Crary said if there are any suggestions for the following year for the report please let him know.

### **NEW BUSINESS**

#### **a. Amendment to the Town's Deferred Compensation Plan.**

Mr. Crary said that the town has a deferred compensation plan and our employees have the option of using one of two companies. He said that they are ICMA and The Hartford. He said that the IRS is requiring the companies to make changes in the deferred compensation plan.

Mr. Crary said that the IRS has established language for employees who change jobs or if a withdrawal was needed in an emergency.

First Selectwoman Klein read the resolution for the deferred compensation plan.

**WHEREAS**, the Town of Darien offers a deferred compensation plan for the benefit of it's employees; and

**WHEREAS**, The Town desires to amend the Plan to conform with the final United States Treasury 457 regulations ("regulations") issued in July 2003; and

**WHEREAS**, this amendment is intended as good faith compliance with the requirements of the regulations; now therefore be it

**RESOLVED**, that effective January 5, 2004 the Town of Darien hereby amends the Deferred Compensation Plan by adopting the attached amendment.

**\*\* DR. MICELI MOVED TO ADOPT THE RESOLUTION TO AMEND THE TOWN'S DEFERRED COMPENSATION PLAN.**

**\*\* MS. THORNE SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

## **b. Budget Transfer for the Police Department**

### **Police Department**

#### **RESOLVED:**

That the following transfer of appropriations is approved for referral to the Board of Finance:

From the Contingency Account in the amount of \$1500 to Account No. C0303063 83007-Animal Control-Operating Supplies to cover the failed transmission in the 1999 Ford Winstar Van, which in part supports the operation of the Animal Control Officer's van.

- \*\* Mr. HARREL MOVED TO TRANSFER \$1500 FROM ACCOUNT NO. C0303063-83007 FOR REPAIR OF THE TRANSMISSION OF THE 1999 FORD WINSTAR VAN.**
- \*\* MS. THORNE SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

## **c. Report on the Conference of Municipalities (CCM) – Bob Harrel**

Mr. Harrel said that the CCM conference was held on December 16<sup>th</sup> and he received their audit report at that time. He said that CCM is in good financial shape. Mr. Harrel said that he was impressed with the CIRMA insurance program that services the Town.

Mr. Harrel said that the CCM felt that municipalities should watch the conveyance tax because it was due to 'sunset' on June 30<sup>th</sup>.

Mr. Harrel said that most of the meeting was spent discussing internal agreements and budget items. He said that the next meeting would be held on January 16<sup>th</sup>.

## **OLD BUSINESS**

### **Meet with Harry Harris of the Connecticut Department of Transportation, regarding their proposal for the Noroton Heights Railroad Station and Parking area.**

Mr. Harris introduced himself as the Bureau Chief of the Bureau of Public Transportation. He said that his department was responsible for the Metro North Rail Line and CT Transit buses and taxis also. He explained the impact of congestion on I-95 and along the coast. Mr. Harris said that SWRPA and CBIA have identified traffic congestion as an important problem and that it threatens the economy of Connecticut.

He said that there was lack of parking at the facilities along the highway. Mr. Harris added that the Transportation Strategy Board has set aside 9 million dollars for the New Haven Line railway. Mr. Harris said that the DOT would like to construct a multilevel parking facility in this region. He added that the station was close to I-95 and would have easy access. Mr. Harris said that State of CT owns the Noroton Heights train station as well as the parking area for the station. He said that the station is leased to the town and the town was responsible for repairs and maintenance for the station. He said that the ConnDOT has identified \$538,000 worth of repairs and maintenance at the Noroton Heights train station.

First Selectwoman asked if the Board had any questions for Mr. Harris. Mr. Harrel asked if there would be immediate access from I-95 to the station. Mr. Harris said that he did not have the immediate answer but he did not believe so. Dr. Miceli asked about the local impact on local roads in the immediate vicinity. Mr. Harris said that that would be something the Traffic Commission would look into. Mr. Harris said that the town should try to make a decision by January 20<sup>th</sup> and not drag it out for months. First Selectwoman Klein asked if Darien residents would be primary permit holders for the station. Mr. Harris said that there would be no discrimination because Federal and State funds were being used.

First Selectwoman Klein asked what the timeline was for the town to make repairs at the station. Mr. Harris said that DOT expects the Town to make the necessary repairs soon.

Discussion took place about the survey that was done on the station and parking lots. Ms. Santarella asked when the results would be available. First Selectwoman Klein responded prior to the next meeting. She added that there were a lot of negative comments about the station from the commuters.

Mr. Harris said that DOT owns most of the stations along I-95. He said that the question was whether or not to let DOT take over the stations.

Mr. Harris said that as part of the negotiations with the City of Stamford and the Town of Fairfield, the DOT took over the stations.

Ms. Santarella asked Mr. Harris if the DOT took over responsibility for the station what was their plan for the upkeep. Mr. Harris responded that there would be a separate contractor that would handle the upkeep of the station.

Ms. Thorne asked how the bus transportation would fit with train transportation. Mr. Harris responded that buses go to the train stations and would adjust the in-routes so that the station would be accommodated. Ms. Thorne asked if there would be a local bus for Darien. Mr. Harris responded that he did not have the answer at this time.

First Selectwoman Klein asked the public to speak at this time.

Flora Smith of 42 Hamilton Avenue said that she did not understand why the town has not used the money from the parking permits to maintain the station. She also asked what spaces were taken at the Stamford train station.

Mr. Harris responded there were 1200 spaces at the new garage but that the old garage needed repairs structurally. He added that spaces are not utilized 100%.

Ms. Smith said that DOT should look at how the town would be burdened with our limited roadways. She added that retailers are suffering because of the saturation of traffic.

Jane Brannigan of 26 Deepwood Road said that there are only 20,000 residents of Darien and the town does not need the kind of station that Stamford has. She said that she would rather have the town handle the station instead of the state.

Mifa Safrina said that he believed that the people from adjoining towns were using the station and not the people from the highway. He said that the main roadways to the station have major backups. Mr. Safrina said that the DOT should look at the spurs instead of I-95.

Callie Sullivan of 118 Five Mile River Road asked if there were more trains added to the stations that were taken over by DOT. Mr. Harris said stations that are operated by DOT do not get preferential treatment.

Jim Cameron, member of the RTM, said that there was not enough information tonight to address the situation. He said that SWRPA is in the process of working with a consultant for a design of what the parking deck might be.

Mr. Cameron said the survey addressed the maintenance at the railroad station. He said that the comments were not complimentary of Darien. Mr. Cameron said the commuters wrote pages of comments about needed maintenance at the railroad. He said the money collected from the parking permits have not been used at the railroad for maintenance.

Mr. Cameron said that there were two separate questions tonight. He said that they were either to improve the station to a livable station or expanding the station for additional parking. He said that ConnDOT was not only looking at Noroton Heights station to take over. Mr. Cameron said that Darien should ask if the traffic mitigation was for local or state roads and what the parking permit cost would be if the state took over the station. Mr. Cameron said that the vitality of the town depends on the commuters getting to their jobs.

Liz Weinbrenner of 26 Briar Brae Road asked if a traffic study was done and if there was going to be increased security. Mr. Harris said that there would be Metro North Police and the parking facility operator patrolling the facility.

Dot Kelly of 6 Lake Drive said that she would like to see the people living close to Noroton Heights train station serviced by the Noroton Heights train station. Mr. Harris said that doesn't always work in the metropolitan area but he said he shared her view.

Discussion took place between the Board and Mr. Harris. Dr. Miceli asked if only state roads would be worked on with this takeover. Mr. Harris said that the DOT would look at all roads impacted by this. The First Selectwoman asked about a timeline. Mr. Harris responded that if the Board responds by January 20, it would be two years before construction would start at the railroad because of the bidding process and permits and paperwork. Ms. Santarella asked if there were any preliminary plans. Mr. Harris responded no. Ms. Santarella said that she would like to know the impact of congestion around the Duhaime Property. She added that Noroton Heights was a very congested road in the morning. Ms. Santarella said that she would like to know what this would do to Darien and the residents. Mr. Harris said that the congestion problem had to be solved and looking at the rails was one way to do it.

Mr. Peter Hovell asked what assurances the town would have that this would be seen through to the end if Mr. Harris left office. Mr. Harris responded that there was a commitment to get this project done. He added that there would be an agreement to commit to complete the project.

Ms. Smith said that she was embarrassed that the repairs to the station had not been done but would not like to see one problem exchanged for another one.

Ms. Brannigan asked what percent of the revenue collected from parking was sent to the state. First Selectwoman Klein said 20%.

### **PUBLIC COMMENTS**

First Selectwoman Klein said that the list of upcoming meetings for the month of January was attached for the Board.

Ms. Santarella said that the Board should request guidance from the Commission of P & Z about the parking garage. She said that more ideas were needed and the concerns of traffic on the roads were an issue. Ms. Thorne said that there needed to be more constituents from Noroton Heights Road. Ms. Santarella said that she spoke to the merchants and they do not want this. She said that more information was needed before a decision was made.

First Selectwoman Klein said that regardless of who was responsible for the station that the survey resultss were ugly. She said that about \$74,000 to \$75,000 were spent on Capital projects according to the budget of 2003 – 2004. She said that the expenses outweighed the income from the permits. First

Selectwoman Klein said that in 2002 \$51,000 was spent on improvements. She said that she would like to see what that was spent on.

First Selectwoman Klein said that she would like to hear more from the public on this issue.

### **FORTHCOMING MEETINGS**

January 6, 2004	P & Z – Planning meeting at 7:30pm.
January 7, 2004	Board of Finance – Special meeting at 7:30pm.
January 13, 2004	Board of Education – Meeting at 7:30pm.
January 13, 2004	P & Z General meeting at 8:00pm.
January 20, 2004	Board of Selectman – Regular meeting at 8:00pm.
January 20, 2004	Board of Finance – Meeting at 8:15pm.
January 26, 2004	RTM meeting at 8:15pm.
January 27, 2004	P & Z – Public Hearing at 8:00pm.

### **OTHER BUSINESS**

(A two-thirds majority vote is required to add an item to the agenda.)

**\*\* DR. MICELI MOVED TO ADJOURN THE MEETING**  
**\*\* MS. SANTARELLA SECONDED.**  
**\*\* MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 7:20pm.

Respectfully submitted,

Jean Lane  
Telesco Secretarial Services